
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

GAUTHIER NTIMAMOSI,

Plaintiff,

v.

**DEPARTMENT OF WORKFORCE
SERVICES; and ANDREA BRUNYER,**

Defendants.

**ORDER AFFIRMING & ADOPTING
REPORT & RECOMMENDATION**

Case No. 2:25-CV-135-DAK-DAO

Judge Dale A. Kimball

Magistrate Judge Daphne A. Oberg

This case was assigned to United States District Court Judge Dale A. Kimball, who then referred the case to United States Magistrate Judge Daphne A. Oberg under 28 U.S.C. § 636(b)(1)(B). On April 21, 2025, Magistrate Judge Oberg issued a Report and Recommendation [ECF No. 8], recommending that this case be dismissed without prejudice because Plaintiff seeks monetary relief against Defendant who are immune from suit and the Complaint fails to state a claim for relief. The Report and Recommendation notified Plaintiff that any objection to the Report and Recommendation must be filed within fourteen days of receiving it.

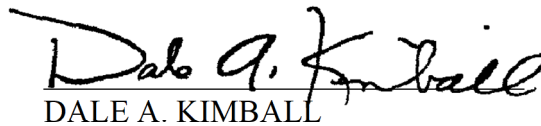
On May 2, 2025, Plaintiff filed an Objection to Report and Recommendation. The court has reviewed and considered Plaintiff's Objection as well as the Report and Recommendation and Plaintiff's Complaint. A Magistrate Judge's Report and Recommendation is subject to *de novo* review by this court. *See* 28 U.S.C. § 636(b)(1)(B); *see also* Fed. R. Civ. P. 72(b). The court has reviewed the materials *de novo* and agrees with Magistrate Judge Oberg's recommendations in their entirety. Plaintiff's claims are barred by Eleventh Amendment

immunity and fail to state a claim under 42 U.S.C. § 1983 and the other statutes he cited.

Plaintiff has not provided any basis in his Objection for ruling otherwise. The court agrees that further opportunities to amend would be futile. Therefore, the court adopts and affirms Magistrate Judge Oberg's Report and Recommendation. Accordingly, this action is dismissed without prejudice.

DATED this 8th day of May 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge